

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

TARA SINGLETON TOLBERT, et al. §  
§  
VS. § CIVIL ACTION NO. 4:12-CV-842-Y  
§  
BANK OF AMERICA, et al. §

ORDER ADOPTING FINDINGS, CONCLUSIONS,  
AND RECOMMENDATION OF THE MAGISTRATE JUDGE AND  
DENYING MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

On November 27, 2012, the magistrate judge entered his Findings, Conclusions, and Recommendation ("FCR") (doc. 6). In his FCR, the magistrate judge found that Plaintiffs had sufficient monthly resources available to pay the filing fee in this case. Based on this finding, the magistrate judge recommended that Plaintiffs' Application to Proceed in District Court Without Prepaying Fees or Costs (doc. 2) be denied. The magistrate judge further recommended that Plaintiffs be informed that their complaint will be subject to dismissal without further notice under Federal Rule of Civil Procedure 41(b) unless they timely pay the full filing fee of \$350.00. Plaintiffs were given until December 18, 2012, to file objections to the magistrate judge's FCR, but they filed none.

After review, the Court ADOPTS the magistrate judge's FCR (doc. 6) as the findings and conclusions of this Court for the reasons stated therein. Plaintiffs' motion for leave to proceed in forma pauperis (doc. 2) is DENIED. Plaintiffs shall have until **January 14, 2013**, to pay to the clerk of Court the full filing fee

of \$350.00. Failure to do so will result in the dismissal of Plaintiffs' case, without prejudice but without further notice.

SIGNED January 7, 2013.

Terry R. Means  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE